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**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

DEMETRIC DI-AZ, OWEN DIAZ, and  
LAMAR PATTERSON,

Plaintiffs,

v.

TESLA, INC. dba TESLA MOTORS, INC.;  
CITISTAFF SOLUTIONS, INC.; WEST  
VALLEY STAFFING GROUP;  
CHARTWELL STAFFING SERVICES, INC.;  
and DOES 1-50, inclusive,

Defendants.

Case No. 3:17-cv-06748-WHO

**[PROPOSED] ORDER REGARDING  
PLAINTIFF'S MOTIONS *IN LIMINE*  
NOS. 1-6**

Date: May 11, 2020  
Time: 10:00 a.m.  
Courtroom: 2, 17th Floor  
Judge: Hon. William H. Orrick

Trial Date: June 8, 2020  
Complaint filed: October 16, 2017

1 [PROPOSED] ORDER  
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3 On May 11, 2020 at 10:00 a.m., Plaintiff Owen Diaz's ("Plaintiff") Motions *in Limine*  
4 were heard by the Hon. William H. Orrick via telephonic hearing. All parties were represented  
5 by counsel.

6 After consideration of the papers and evidence submitted, and of the oral arguments by  
7 the respective parties, the Court makes the following orders with respect to Plaintiff's Motions *in*  
8 *Limine* Nos. 1-6 as follows:

9 1. Plaintiff's Motion *in Limine* No. 1 to exclude lay opinion testimony that racial slurs are  
10 not offensive is hereby

11 \_\_\_\_\_ GRANTED

12 \_\_\_\_\_ DENIED

13 2. Plaintiff's Motion *in Limine* No. 2 to exclude the testimony of witness Ramon Martinez  
14 is hereby

15 \_\_\_\_\_ GRANTED

16 \_\_\_\_\_ DENIED

17 3. Plaintiff's Motion *in Limine* No. 3 to exclude a written statement of Ramon Martinez is  
18 hereby

19 \_\_\_\_\_ GRANTED

20 \_\_\_\_\_ DENIED

21 4. Plaintiff's Motion *in Limine* No. 4 to exclude testimony or evidence concerning the  
22 workplace relationship between Plaintiff and Rothaj Foster is hereby

23 \_\_\_\_\_ GRANTED

24 \_\_\_\_\_ DENIED

25 5. Plaintiff's Motion *in Limine* No. 5 to exclude testimony or evidence concerning  
26 Plaintiff's work performance is hereby

27 \_\_\_\_\_ GRANTED

28 \_\_\_\_\_ DENIED

6. Plaintiff's Motion *in Limine* No. 6 to exclude testimony or evidence concerning witness Demetric Di-az's criminal history is hereby

GRANTED

IT IS SO ORDERED.

DATED: \_\_\_\_\_, 2020

Hon. William H. Orrick